

ENTERED

October 27, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	Case No. 7:22-mj-01974-1
	§	
ENRIQUE RAZO, SR.	§	

ORDER OF TEMPORARY DETENTION

On October 14, 2022, the Court held identity and detention hearings in regard to arrest of Enrique Razo, Sr. on a warrant issued in Case No. SA:22-cr-00531-XR, out of Western District of Texas – San Antonio Division. *See* Dkt. No. 1.

I.**Court Proceedings**

Razo, Sr., in open court and under oath, and after consultation with Counsel, announced that he wished to waive the identity hearing. After finding that Razo, Sr. is the same individual as charged in the indictment out of Western District of Texas – San Antonio Division, the undersigned held a detention hearing. After hearing arguments from U.S. Attorney's Office and Counsel for Razo, Sr., the undersigned made a finding pursuant to 18 U.S.C. § 3142(c) that a condition or combination of conditions could be set to assure safety of the community and Razo, Sr.'s appearance for all future court proceedings. Bond was set at \$50,000, with requirement of \$5,000 deposit and a co-surety, along with standard conditions of release including requirement of curfew and electronic GPS monitoring. *See* Dkt. Entry dated Oct. 14, 2022 (setting out conditions of release). Razo, Sr. was provided two weeks to meet the conditions of bond.

As of the date of this Order, those conditions have not been met. The U.S. Probation Department has advised the Clerk of the Court that no one has come forward with an application for co-surety.

II.

Order of Temporary Detention Pending Transport

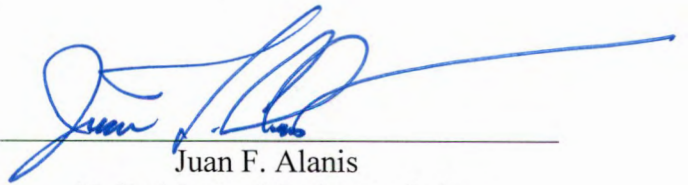
With the conditions of bond not being met to date¹, it is hereby **ORDERED** that Razo, Sr. is to be temporarily detained and transported to the prosecuting district pursuant to Commitment to Another District issued in this matter for all further proceedings. *See* Fed. R. Crim. P. 5(c)(3)(D).

III.

Directions Regarding Detention

Directions Regarding Detention: Razo, Sr. is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Razo, Sr. shall be afforded a reasonable opportunity for a private consultation with defense counsel. On order of a court of the United States, or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver Razo, Sr. to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED on the 27th day of October, 2022 at McAllen, Texas.



Juan F. Alanis
United States Magistrate Judge

¹ *Cf. United States v. McConnell*, 842 F.2d 105, 107 (5th Cir. 1988) (noting that a “bail setting is not constitutionally excessive merely because a defendant is financially unable to satisfy the requirement.”).